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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,880	06/28/2001	Anthony F. Istvan	20643/1205190-US2	5380
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Digeo c/o DARBY & DARBY P.C. P.O. BOX 770 Church Street Station NEW YORK, NY 10008-0770			EXAMINER OSMAN, RAMY M	
			ART UNIT 2157	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/895,880

Applicant(s)

ISTVAN ET AL.

Examiner

Ramy M. Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10-13 and 16-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-13 and 16-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. This communication is in response to amendment filed on March 29, 2007, where applicant amended claims 1,7,13,18,22,26,30,35 and 40. Claims 1-7,10-13,16-48 are pending.

Response to Arguments

2. Applicant's arguments and amendments, filed on 3/29/2007, with respect to claims 1-7,10-13,16-48 have been considered but are not found to be persuasive.
3. The lead paragraphs have been corrected.
4. Applicant argues that Ellis fails to teach where a plurality of user objects are stored simultaneously on at least one of the access devices.

In reply, a review of the Ellis reference, in light of Applicants amendments and remarks, shows that Ellis does indeed teach where a plurality of user objects are stored simultaneously on a device. Ellis discloses that each user can establish a profile of settings and preferences, and also that each user can apply their profile to one or all devices (see ¶ 112). Therefore, if more than one user chooses to apply their profiles to all devices, there will be a plurality of profiles stored simultaneously on an access device. Ellis further refers to Patent No 7185355, which is incorporated by reference, to more clearly define the user profiles and how multiple profiles can be stored in a device (see at least column 2 lines 3-40 and column 9 lines 23-35 of Patent No 7185355). The claims remain anticipated by Ellis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-3,7-9,13-15,45-48 rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al (US Patent Publication No 2005/0251827).**

7. In reference to claims 1,7,13, Ellis teaches a method, system and corresponding machine readable medium of controlling access to content in a multimedia communication network system comprising a household having a plurality of access devices and a plurality of user objects, the method comprising:

receiving configuration information related to a one of the plurality of user object from a user via an access device of the plurality of access devices, the configuration information defining multimedia content that can be accessed by instantiating the user object in an access device(see ¶ 69), wherein each of the user objects defines interaction of a respective user with the system and the user can access the system by logging on to the user object, wherein a plurality of the user objects are stored simultaneously on the access device (see ¶ 96 and 112); and

providing the received configuration information from the multimedia communication to another access device of the plurality of access devices (see ¶ 69).

8. In reference to claims 2,8,14, Ellis teaches the method, system, and machine readable medium of claims 1,7,13 respectively, further comprising receiving revised configuration

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information related to the user object via an access device of the plurality of access devices and providing the received revised configuration information to all of the access devices of the plurality of access devices (see ¶ 69).

9. In reference to claims 3,9,15, Ellis teaches the method, system, and machine readable medium of claims 1,7,13 respectively, further comprising receiving configuration information related to a plurality of user objects via one or more of the access devices of the plurality of access devices and providing the configuration information to all of the access devices of the plurality of access devices (see ¶ 98).

10. In reference to claim 45, Ellis teaches the method of claim 1, wherein the multimedia communication system is an interactive television system. (¶ 59)

11. In reference to claim 46, Ellis teaches the method of claim 1, wherein the access device is a set top box for an interactive television system (¶ 64).

12. In reference to claim 47, Ellis teaches the method of claim 1, wherein the multimedia content comprises television content (¶ 59).

13. In reference to claim 48, Ellis teaches the method of claim 1, wherein the user object comprises a username and a password (¶ 94-96).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claims 4-6,10-12,16-33,35-38,40-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (US Patent Publication No 2005/0251827) in view of Hammack et al (US Patent No 6,449,624).**

16. In reference to claims 4,10,16, Ellis teaches the method, system, and machine readable medium of claims 3,9,13 respectively, which includes teaching profiles. Ellis fails to explicitly teach the profiles comprising assigning a ticket number to the revised configuration information. However, Hammack teaches version numbers indicative of configuration information for the purpose of tracking modifications to the configuration information and to reconstruct past configuration information if needed (column 7 lines 25-43).

It would have been obvious for one of ordinary skill in the art to modify Ellis to further comprising assigning a ticket number to the revised configuration information as per the teachings of Hammack for the purpose of tracking modifications.

17. In reference to claims 5,11,17, Ellis teaches the method, system, and machine readable medium of claims 4,10,16 respectively, further comprising storing the ticket number in a revision history in the multimedia communication network system (Hammack, column 7 lines 25-43, see rationale of claim 4).

18. In reference to claims 6,12, Ellis teaches the method, system, of claims 5,11 respectively, wherein the revision history is stored in a server of the multimedia communication network system (Ellis ¶ 74, Ellis discloses server storage).

19. In reference to claims 18,22,26, Ellis teaches a method, system and corresponding machine readable medium of providing configuration information related to a user object of a

multimedia communication network system having a plurality of access devices, the configuration information including values for a plurality of configuration parameters (see ¶ 69 and 98), the method comprising:

receiving a portion of the configuration information related to a one of the plurality of user object from a user via an access device of the plurality of access devices, wherein each of the user objects defines interaction of a respective user with the system and a plurality of the user objects are stored simultaneously on the access device (see ¶ 69, 98 and 112);

Ellis teaches profiles, but fails to explicitly teach assigning a ticket number to the received portion of the configuration information; storing the ticket number in a revision history; and providing the ticket number to the access device. However, Hammack teaches version numbers indicative of configuration information for the purpose of tracking modifications to the configuration information and to reconstruct past configuration information if needed (column 7 lines 25-43).

It would have been obvious for one of ordinary skill in the art to modify Ellis to assigning a ticket number to the received portion of the configuration information; storing the ticket number in a revision history; and providing the ticket number to the access device as per the teachings of Hammack for the purpose of tracking modifications.

20. In reference to claims 19,23,27, Ellis teaches the method, system and corresponding machine readable medium of claims 18,22,26, further comprising: setting a bit in a bit vector, the bit vector having a plurality of bits each being associated to a corresponding configuration parameter of the user object; wherein the set bit indicates the configuration parameter associated with the received configuration information; and providing the bit vector to the access device (¶

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64, the settings are inherently stored in the set-top-box as a bit vector since the data is inherently stored as bit values to be readable by a processor. The configuration has an associated bit value.).

21. In reference to claims 20,24,28, Ellis teaches the method, system and corresponding machine readable medium of claims 18,22,26, wherein the revision history has a fixed size (§ 64; It is inherent that each entry will be of a fixed size because when something is digitally stored it is 'fixed' into memory).

22. In reference to claims 21,25,29, Ellis teaches the method, system and corresponding machine readable medium of claims 18,22,26, further comprising providing the portion of the configuration information to a second access device of the plurality of access devices (§ 69 & 98).

23. In reference to claims 30,35,40, Ellis teaches a method, system and corresponding machine readable medium of providing updated configuration information related to user object of a multimedia communication network system having a plurality of access devices, the configuration information including values for a plurality of configuration parameters, the system including a revision history configured to store identifiers and bit vectors associated with updates to the configuration information related to the user object, wherein a user can access the system by logging on to the user object, the method comprising:

receiving an identifier from an access device of the plurality of access devices (§ 69);

determining an update vector as a function of the received identifier and any identifiers in the revision history that are more recently associated with an update than the received identifier (§ 69 & 89, the update vector is interpreted as the adjusted settings); and

providing the update vector to the access device (§ 89).

24. In reference to claims 31,36,41, Ellis teaches method, system and corresponding machine readable medium of claims 30,35,40, further comprising providing a portion of updated configuration information to the access device at the request of the access device, wherein the access device generates the request in response to the update vector (§ 69 & 98).

25. In reference to claims 32,37,42, Ellis teaches the method, system and corresponding machine readable medium of claims 30,35,40, further comprising providing to the access device the most recent identifier of the identifiers used in determining the update vector (§ 69 & 89).

26. In reference to claims 33,38,43, Ellis teaches the method, system and corresponding machine readable medium of claims 30,35,40, wherein determining the update vector further comprises generating the update vector as a function of the bit vectors associated with the identifiers that are more recent than the received identifier (§ 69 & 89).

27. Claims 34,39,44 rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (US Patent Publication No 2005/0251827) in view of Hammack et al (US Patent No 6,449,624) in further view of Mi et al (US Patent No 6,523,067).

Ellis teaches the method, system and corresponding machine readable medium of claims 33,38,43. Ellis fails to explicitly teach wherein the function of the bit vectors comprises the logical-OR of the bit vectors associated with the identifiers that are more recent than the received identifier. However, Mi teaches updated vectors (i.e. return values) based on identifiers and comprises a logical OR result, for the purpose of verifying and granting user access (column 3 lines 10-20 and column 4 lines 5-40).

It would have been obvious for one of ordinary skill in the art to modify Ellis wherein the function of the bit vectors comprises the logical-OR of the bit vectors associated with the identifiers that are more recent than the received identifier as per the teachings of Mi for the purpose of verifying and granting user access.

Conclusion

28. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, priority documents and claims) is implied as being applied to teach the scope of the claims.

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 10, 2007


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